

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**

NO. 95-09547

Priority: October 29, 2008

Maximum Diversion Rate: 0.04 CFS

This is to certify, that ROBERT V NEAR  
And/Or PATRICIA NEAR  
PO BOX 630  
ATHOL ID 83801

has applied for a permit to appropriate water from:

**Source:** GROUND WATER

and a permit is APPROVED for development of water as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------|----------------------|--------------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS                 |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER SW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 5, Twp 53N, Rge 03W, B.M. KOOTENAI County

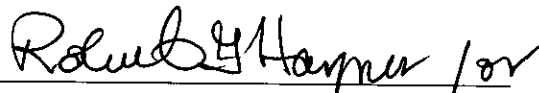
**PLACE OF USE:** DOMESTIC

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 53N 03W 8   |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2010**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. This right does not grant any right-of-way or easement across the land of another.
5. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the management plan approved by the director for the RPGWMA.
6. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.
7. Domestic use is for 1 home.
8. The irrigation occurring under this domestic use shall not exceed 1/2 acre.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d'Alene, this 29<sup>th</sup> day of December, 2008.

  
DAVID R. TUTHILL, JR., Director